REMARKS

I. Introduction

For the reasons set forth below, Applicant respectfully submits that all pending claims are patentable over the cited prior art references.

II. The Rejection Of Claims 1-26 Under 35 U.S.C. § 103

Claims 1-26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamamura et al. (JP 09-204766) in view of Ohnishi et al. (USP No. 6,751,092). Applicant respectfully traverses these rejections for at least the following reasons.

With regard to the present invention, claims 1 and 8 recite a shock-absorbing member disposed on a main body of equipment, and comprising a shock-absorbing base part and a shock-absorbing flexible part, wherein the shock-absorbing base part has a thickness smaller than that of the shock-absorbing flexible part, and the shock-absorbing base part buckles so as to absorb a shock when receiving an impact.

Similarly, claim 20 recites a shock-absorbing method of an electronic device including a shock-absorbing member formed by integrally molding a shock-absorbing base part and the shock-absorbing flexible part, wherein the shock-absorbing base part is thinner than the shock-absorbing flexible part, and the shock-absorbing base part buckles so as to absorb a shock when receiving an impact.

One aspect of the present invention is that a shock absorbing member has a shock-absorbing base part, and a shock-absorbing flexible part, and the shock-absorbing base part buckles so as to absorb a shock when receiving an impact.

In contrast to the present invention, neither Ohnishi nor Yamamura disclose that the shock-absorbing base part buckles. The rejection admits that Yamamura fails to teach a shock absorbing member which has a shock-absorbing base part, and a shock-absorbing flexible part, and the shock-absorbing base part buckles so as to absorb a shock when receiving an impact.

The rejection alleges that Fig. 9 of Ohnishi discloses a buckling at the bending part of the shock absorbing base. However, Fig. 9 shows no bending, buckling, compression, or any other type of deformation of the base part at all. Nor does any other figure shown in Ohnishi. Furthermore, the passages in col. 6, lines 64-67 and col. 15, lines 50-60 of Ohnishi are alleged to disclose buckling of the shock-absorbing member. For example, it is alleged that col. 6, lines 64-67 teaches this buckling by interpreting the horizontal deformation of the shock-absorbing part as buckling. However, the passage in col. 6 merely recites that the "shock absorbing members 3 would be deformed in a horizontal direction ***due to the friction*** and the...shock absorbing effect would be reduced". As is clearly shown, this passage says nothing about buckling of the shock-absorbing member due to shock absorption. However, even if one were to interpret deformation in the horizontal direction due to friction as buckling due to shock-absorption, then it is clear that Ohnishi ***teaches against*** a shock absorbing base part buckling so as to absorb a shock, because the passage states that horizontal deformation ***reduces*** the shock absorbing effect.

Furthermore, with regard to the passage in col. 15 of Ohnishi, it is unclear how this passage relates to buckling of a shock-absorbing part. The passage appears to discuss the materials and thicknesses of the parts, not how the parts deform upon receiving shock. In fact, it appears that nowhere in Ohnishi does it disclose buckling of the base part. As such, Applicant submits that both Ohnishi and Yamamura fail to disclose the above cited limitation of claims 1, 8 and 20.

In order to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 180 USPQ 580 (CCPA1974). At a minimum, as Yamamura and Ohnishi both fail to teach or suggest a shock-absorbing base part that buckles so as to absorb a shock when receiving an impact, it is submitted that Yamamura and Ohnishi, alone or in combination, do not render claims 1, 8 and 20 obvious. Accordingly, it is respectfully requested that the § 103 rejection of claims 1, 8 and 20 be withdrawn.

III. All Dependent Claims Are Allowable Because The Independent Claim From Which They Depend Is Allowable

Under Federal Circuit guidelines, a dependent claim is nonobvious if the independent claim upon which it depends is allowable because all the limitations of the independent claim are contained in the dependent claims, *Hartness International Inc. v. Simplimatic Engineering Co.*, 819 F.2d at 1100, 1108 (Fed. Cir. 1987). Accordingly, as claims 1, 8 and 20 are patentable for the reasons set forth above, it is respectfully submitted that all pending dependent claims are also in condition for allowance.

IV. Conclusion

Having fully responded to all matters raised in the Office Action, Applicant submits that all claims are in condition for allowance, an indication of which is respectfully solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper,

including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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